



City & Borough of Sitka

Municipal Clerks Office

100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1808 Fax: 907-747-4004



MEMORANDUM

February 23, 2012

TO: Mayor and Assemblymembers

FR: Colleen Ingman, Municipal Clerk

RE: Liquor License New

Colleen Ingman

We have received the following liquor license lodge application new:

DBA	Lic Type	Lic #	Owner	Premise Address
Dove Island Lodge	Lodge		Tracie and Harold Duane Lambeth	Dove Island

A memo was circulated to the various departments who may have a reason to protest. A notice was also posted on the lodge and an advertisement appeared in the local newspaper. To date, no protests have been received. **Therefore, the following motion is in order if pulled from the Consent Agenda:**

POSSIBLE MOTION

I MOVE to approve forwarding the application for a new lodge liquor license for 1) Dove Island Lodge to the Alcoholic Beverage Control Board without objection.

PUBLIC NOTICE

LIQUOR LICENSE NEW

Lodge License

Dove Island Lodge & Sitka Sportfishing Charters LLC

The City and Borough of Sitka has been notified of an application for a new liquor license submitted by: Dove Island Lodge & Sitka Sportfishing Charters LLC, DBA Dove Island Lodge, located on Dove Island– Directors Tracie and Harold Duane Lambeth.

The City and Borough of Sitka will consider this application at the Assembly Meeting of February 28, 2012, at 6:00 p.m. at the Harrigan Centennial Hall. Any protest may be lodged either prior to or at that time.

Colleen Ingman, MMC
Municipal Clerk

Publish: 2/17/12

LODGE Liquor License

This application is for: Seasonal - Two 6-month periods in each year of the biennial period beginning 5-15 and ending 11-15
 Seasonal - Two 6-month periods in each year of the biennial period beginning 5-15 and ending 11-15
 Full 2-year period

SECTION A. LICENSE INFORMATION. Must be completed.		FEES
License Number: <u>5126</u> <small>(Please leave License # blank)</small>	License Year: <u>2012-2013</u>	License Fee: <u>\$1250.00</u>
Statute Reference: Sec. 04.11.225	Federal EIN or SSN: <u>371473905</u>	Filing Fee: \$100.00
		Fingerprint Fee: <u>\$108.50</u> <small>(\$59.00 per person)</small>
		Total Submitted: <u>\$1458.50</u>

City/Borough/Location information:
 City: Sitka Borough: Sitka

If you are outside an organized city or borough, you must provide the following:
 Nearest City or Borough: _____
 Distance (in miles) from nearest city or borough: _____
 Latitude/Longitude (if known): _____

Please provide a detailed graphic description of your premise location: We are a private Island fishing lodge located 1.2 miles from Sitka by boat. We have a dock, main lodge building and (2) cabins connected by a boardwalk.

Name of Licensee (Corp/LLC/LP/LLP/Individual): <u>Dove Island Lodge and Sport Fishing Charters LLC Sitka</u>	Doing Business As (Business Name): <u>Dove Island Lodge</u>	Business Telephone Number: <u>(907) 747-5660</u>
Street Address or Location of Premise: <u>Dove Island</u>	Mailing Address: <u>P.O. Box 1512</u>	Fax Number: <u>(907) 375-2970</u>
	City, State, Zip: <u>Sitka, AK 99835</u>	Email Address: <u>gotfish@doveislandlodge.com</u>

SECTION C. Individual, corporate officer, director, limited liability organization member, manager or partner background.

Does any individual, corporate officer, director, or limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
<u>Tracie Lambeth</u>	<u>Backdoor Cellars</u>	<u>Beer and wine wholesaler</u>	<u>30290 N. Hwy 1, Fort Bragg</u>	<u>CA</u>
<u>Tracie Lambeth</u>	<u>Backdoor Cellars</u>	<u>off sale Beer and wine Lic 17,19</u>	<u>30290 N. Hwy 1, Fort Bragg</u>	<u>CA</u>

Has any individual, corporate officer, director, or limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state since the last application submitted?

Yes No If Yes, attach written explanation. Health and safety code violation 1993 for Harold Lambeth

OFFICE USE ONLY	
Date Approved	Director's Signature

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: February 3, 2012

Application Type: **NEW**

 TRANSFER
 Ownership
 Location
 Name Change

Governing Body: **City & Borough of Sitka**
 Community Councils: None

License #: 5126
 License Type: Lodge
 D.B.A.: Dove Island Lodge
 Licensee/Applicant: Dove Island Lodge & Sitka Sportfishing Charters, LLC
 Physical Location: Dove Island
 Mail Address: PO Box 1512, Sitka, AK 99835
 Telephone #: 907-747-5660
 EIN: 37-1473905

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Dove Island Lodge & Sitka Sportfishing Charters, LLC	PO Box 1512 Sitka, AK 99835	907-747-5660	05/13/2003 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Tracie Lambeth Partner	04/04/1971	PO Box 1512 Sitka, AK 99835	907-747-5660	50%
Harold Duane Lambeth Partner	05/19/1967	PO Box 1512 Sitka, AK 99835	907-747-5660	50%

If **transfer** application, current license information:

License #:
 Current D.B.A.:
 Current Licensee:
 Current Location:

Additional comments:

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 15 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD
Director



Sarah D. Oates

Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

LODGE
Liquor License

Corporations, LLCs, LLPs and LLPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership) <i>Dove Island Lodge & Sitka Sportfishing Charters LLC</i>		Telephone Number <i>(907) 747-5660</i>	Fax Number <i>(907) 375-2970</i>
Corporate Mailing Address: <i>P.O. Box 1512</i>		City <i>Sitka</i>	State <i>Alaska</i>
		Zip Code <i>99835</i>	
Name, Mailing Address and Telephone Number of Registered Agent <i>Tracie Lambeth, P.O. Box 1512 Sitka, AK 99835</i>		Date of Incorporation OR Certification with DCED <i>5-13-03</i>	State of Incorporation <i>Alaska</i>
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

(owner)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
<i>Tracie Lambeth</i>	<i>partner</i>	<i>50</i>	<i>P.O. Box 1512, Sitka AK 99835</i>	<i>(907) 747-5660</i>	<i>4-4-71</i>
<i>Harold Lambeth</i>	<i>partner</i>	<i>50</i>	<i>same as above</i>	<i>same</i>	<i>5-19-67</i>

NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.


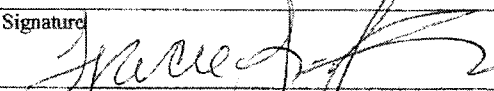
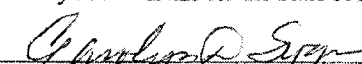
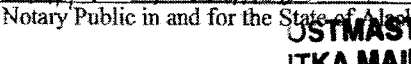
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse of a licensee. Each Affiliate must be listed.)

Name: <i>Tracie Lambeth</i> Address: <i>P.O. Box 1512 Sitka AK 99835</i> Home Phone: <i>907-747-5660</i> Work Phone: <i>same</i>	Applicant <input checked="" type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Name: <i>Harold Lambeth</i> Address: <i>P.O. Box 1512 Sitka AK 99835</i> Home Phone: <i>907-747-5660</i> Work Phone: <i>same</i>	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the corporation, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s)

Signature 	Signature 
Name & Title (Please Print) <i>Partner Harold D Lambeth</i>	Name & Title (Please Print) <i>Partner Tracie Lee Lambeth</i>
Subscribed and sworn to before me this <i>4th</i> day of <i>November</i> , 2011	Subscribed and sworn to before me this <i>4th</i> day of <i>November</i> , 2011
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska 
My commission expires:	My commission expires: 207 SAWMILL CREEK RD SITKA AK 99835-9998 (907) 747-3381

**POSTMASTER
 SITKA MAIN POST OFFICE
 1207 SAWMILL CREEK RD
 SITKA AK 99835-9998
 (907) 747-3381**



State of Alaska
Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A. Masters, Commissioner

February 3, 2012

City & Borough of Sitka
Attn: Colleen Ingman, City Clerk
VIA Email: colleen@cityofsitka.com

Dove Island Lodge & Sitka Sportfishing Charters LLC – Lodge License #5126

- New Application Transfer of Ownership Transfer of Location
 Restaurant Designation Permit DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

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Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

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Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD
Director



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